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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,818	03/26/2001	Donald J. Palmer	10003978-1	7827

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HEWLETT-PACKARD COMPANY
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EXAMINER

ALVAREZ, RAQUEL

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,818

Applicant(s)

PALMER ET AL.

Examiner

Raquel Alvarez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-20 and 22-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-20 and 22-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to communication filed on 12/1/2005.
2. Claims 1-5, 7-20 and 22-29 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-5, 7-13, 15-17, 19-20 and 22-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Libman (6,076,072 hereinafter Libman).

With respect to claims 1, 8-9, 13, 16 Libman teaches a method for providing targeted advertising to a customer (col. 1, lines 13-22). Retrieving billing information for the customer (i.e. retrieving client information from a host vehicle, the host vehicle being a bill (col. 3, lines 10-14 and col. 10, lines 45-67); retrieving an item of customer information relating to the customer (col. 7, lines 14-22); correlating the item of customer information to an advertisement (i.e. based on the customer's information, the system selects variable Information/advertisement/marketing product to offer to the particular client)(col. 7, lines 14-22); retrieving the advertisement (col. 17, lines 24 to col. 18, lines 1-67); and forming a billing statement containing the billing information for the customer and the advertisement (i.e. forming a client communication containing the host vehicle/bill for the customer combined with the variable

information/advertisement/marketing product into a single communication)(col. 6, lines 7-23).

With respect to the newly added feature of the customer information including information regarding past consumption of goods and services by the customer. Libman teaches "A wide variety types of client information other than the client identification may and often is available. Typical examples might the client's age, occupation, employer, annual income....**purchasing information such as purchasing practices and proclivities..**" (col. 11, lines 1-12; col. 12, lines 51-60 and col. 20, lines 45-54).

With respect to claims 17, 23-24, Libman teaches a system for providing targeted marketing to a customer (col. 1, lines 13-22). A database system for storing data, the data including customer billing information, customer information and marketing information (i.e. "host information" includes the type of account and activities pertaining to the customer account, "client information" contains customer information such as name, address, phone number, etc. , "financial product" contains marketing information on the different marketing product to be offered to the customers) (col. 5 , lines 50 to col. 7, lines 1-22); a computer system configured to create customer billing statements, the computer configured to retrieve customer billing information for a selected customer from the database system (col. 7, lines 14-22); retrieve customer information for the selected customer from the database (See figure 2); retrieve marketing information correlated to the customer information from the database system (See Figure 2); and

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assemble a billing statement for the selected customer, the billing statement including customer billing information for the selected customer and marketing information correlated to the customer information ((i.e. forming a client communication containing the host vehicle/bill for the customer combined with the marketing product /advertisement into a single communication)(col. 6, lines 7-23).

With respect to the newly added feature of the customer information including information regarding past consumption of goods and services by the customer. Libman teaches "A wide variety types of client information other than the client identification may and often is available. Typical examples might the client's age, occupation, employer, annual income....**purchasing information such as purchasing practices and proclivities..**" (col. 11, lines 1-12; col. 12, lines 51-60 and col. 20, lines 45-54).

With respect to claim 26, Libman teaches a billing statement for providing marketing information to a customer (col. 1, lines 13-22). A billing portion displaying account information for a selected customer (i.e. the host vehicle displays information on the client)(col. 6, lines 65 to col. 7, lines 1-14); a marketing portion displaying selected marketing information targeted to the selected customer, the selected marketing information being chosen from a collection of possible marketing information based upon a correlation between the selected marketing information and information related to the characteristic of the customer (i.e. marketing product to the customer based on the customer information)(col. 12, lines 44-67).

With respect to the newly added feature of the customer information including information regarding past consumption of goods and services by the customer. Libman teaches "A wide variety types of client information other than the client identification may and often is available. Typical examples might the client's age, occupation, employer, annual income....**purchasing information such as purchasing practices and proclivities..**" (col. 11, lines 1-12; col. 12, lines 51-60 and col. 20, lines 45-54).

With respect to claims 2-3, 19, 27, Libman further teaches that the customer information includes demographic information consisting of age, sex, address, telephone number, marital status, education level, income level, number of children, sex and age of children (col. 5, lines 50-61).

With respect to claims 4-5, 20-21, 29 , Libman further teaches that the customer information includes personal information consisting of hobbies, interests, spending habits (col. 11, lines, property ownership (col. 11, lines 1-18).

With respect to claims 6-7, 28, Libman further teaches that the customer information includes information regarding consumption of goods and services by the customer including identity of goods and services purchased by the customer from other providers (i.e. buying habit data is obtained for the customers such as previous items purchased)(col. 11, lines 63-65).

Claims 10 and 25 further recite indicating whether the advertisement would appeal to a person with a particular preference and comparing the item of the customer information to the advertisement (i.e. taking into account customer preferences and hobbies to determine the likelihood of acceptance to the product/service/advertisement)(col. 11, lines 1-180).

With respect to claims 11-12, Libman further teaches selecting the customer from a group of customers before retrieving billing information for the customer (i.e the customer is pre-selected from a group of customer before his billing information is retrieved)(See Figure 4).

With respect to claims 15, 22 Libman further teaches that the customer information is obtained from an outside source (i.e. the information on the customers is obtained from **other sources**)(col. 23, lines 7-23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libman in view of Official Notice.

With respect to claims 14, 18 the claims further recite that the information is collected by survey. Official notice is taken that it is old and well known to collect information from customers via survey. For example, customers are often ask to fill out a questionnaire or the like asking to identify items of interest in order for marketing companies to target product and services to customers based on customer's answers. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included collecting information by the customer from survey in order to obtain the above mentioned advantage.

Response to Arguments

5. The 101 and 112, 2nd rejections have been withdrawn.
6. Applicant argues that Libman doesn't teach retrieving past consumption of goods and services for the particular client. The examiner respectfully disagrees with Applicant because on col. 11, lines 11-12, Libman teaches "A wide variety types of client information other than the client identification may and often is available. Typical examples might the client's age, occupation, employer, annual income....**purchasing information such as purchasing practices and proclivities..**"
7. With respect to the arguments of claims 14 and 18, Applicant is requesting a reference to teach the old and well known feature of collecting information from

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customers via surveys. The Examiner is citing Deaton as support of the Official notice taken. Deaton teaches in the Background of the invention on col. 1, lines 18-21 that surveys may be conducted which ask consumers whether they favor a particular product over another.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

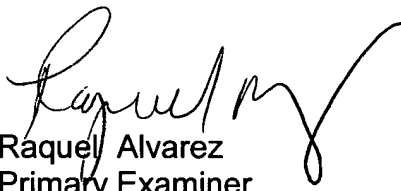
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Point of contact

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (571)272-6715. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric w. Stamber can be reached on (571)272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Raquel Alvarez
Primary Examiner
Art Unit 3622

R.A.
2/3/2006